

Message Text

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ACTION H-03

INFO OCT-01 EA-07 ADP-00 AID-01 SS-07 NSC-06 RSR-01 RSC-01

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FM AMEMBASSY SAIGON
TO SECSTATE WASHDC 6280

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E.O. 11652: N/A
TAGS: OREP, CVIS, CPAS
SUBJECT: CODEL EILBERG

REF: A. STATE 154127
B. STATE 158422

1. CODEL VISIT TO SAIGON FOCUSED ON INTER-COUNTRY ADOPTION
PROCEDURES AND USAID ASSISTANCE IN FIELD SOCIAL WELFARE.

2. REP. EILBERG WAS PARTICULARLY INTERESTED IN EMBASSY REACTION
TP PENDING HOUSE BILLS HR-3159 WHICH WOULD GIVE SPECIAL VISA
STATUS TO VIETNAMESE CHILDREN WITH ONE AMERICAN PARENT, AND
HR-8381 WHICH WOULD CONFER U.S. CITIZENSHIP ON SUCH CHILDREN.
CONSULAR OFFICER, SUPPORTED BY VOLAGS, POINTED OUT IMPRACTICAL-
ITY OF THESE BILLS DUE TO DIFFICULTY OF DETERMINING
IF A CHILD HAD ONE WHO WAS US CITIZEN PARENT AT TIME OF BIRTH.

3. CONSOFF EXPRESSED OPINION THAT CURRENT US LEGISLATION SATISFIES
NEEDS IN MOST ORPHAN CASES, BUT LAW PERMITTING SINGLE PERSON
ADOPTIONS WOULD BE IMPORTANT STEP FORWARD. REP. EILBERG SAID A
BILL TO THIS EFFECT HAS BEEN INTRODUCED.

4. REP. EILBERG REFERRED TO LETTER OF JUNE 13 FROM ASSISTANT
SECRETARY MARSHALL WRIGHT TO PETER W. RODINO, JR., CHAIRMAN COMMITTEE
ON JUDICIARY. EILBERG SAID STATING THAT LETTER WAS AT VARIANCE WITH
EMBASSY AND VOLAG STATEMENTS ON MINISTRY OF SOCIAL WELFARE COOPERATION
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THE ADOPTION PROCESS. CONSOFF SCANNED LETTER AND COMMENTED THAT TWO POSITIONS DID NOT SEEM IN CONFLICT. SHE SAID MSW DOES NOT POSE OBSTACLES TO THE ORDERLY AND RAPID DEPARTURE OF ADOPTED CHILDREN "WHEN ESTABLISHED PROCEDURES HAVE BEEN COMPLIED WITH IN A PARTICULAR CASE." SHE ADDED THAT MSW POLICY IS TO TREAT ALL ORPHANS ON AN EQUAL BASIS RATHER THAN AFFORD SPECIAL PRIVILEGES TO ORPHANS WHO MAY HAVE FOREIGN FATHERS.

5. DURING APPOINTMENT AT MSW, DR. AN, DIRECTOR OF CABINET, RESPONDED WITH A LENGTHY DISCOURSE TO REP. EILBERG'S SOLICITATION OF HIS VIEWS ON HR-3159 AND HR-8381. AN SAID HE WAS AWARE OF THE MINK BILL AND OTHER LEGISLATIVE INITIATIVES. HE APPRECIATED THE HELPFUL INTENT AND WORTHY MOTIVES UPON WHICH THEY WERE BASED, BUT DID NOT FEEL THEY WERE NECESSARY OR DESIRABLE. DR. AN EMPHASIZED HIS BELIEF THAT U.S. LEGISLATION WHICH SINGLED OUT THE AMERICAN-FATHERED FOR SPECIAL TREATMENT WOULD BE MISINTERPRETED AND RESENTED BY VIETNAMESE PUBLIC OPINION AS AN EFFORT TO ESTABLISH A U.S. CLAIM TO THESE CHILDREN. IT WOULD ALSO DISTASTEFULLY REMIND THE VIETNAMESE OF THE FRENCH COLONIAL PERIOD. DR. AN ARGUED THAT CHILD WELFARE MEASURES SHOULD BE FOR ALL DISADVANTAGED CHILDREN WITH THOSE RACIALLY MIXED BENEFITING AS PART OF A LARGER GROUP. HE RECOGNIZED THAT ADOPTION WAS SOMETIMES THE BEST ANSWER AND WELCOMED THE COOPERATION OF ADOPTION AGENCIES LICENSED BY MSW. HE BELIEVED ADOPTIONS SHOULD BE HANDLED ON A CASE BY CASE BASIS, ACCORDING TO NEED. HE SAID THERE SHOULD BE NO ESTABLISHMENT OF A SPECIAL CATEGORY OF RACIALLY MIXED FOR ADOPTION PURPOSES.

6. REP. EILBERG LATER COMMENTED THAT DR. AN'S ARGUMENTS WERE WELL TAKEN AND HE WAS CONVINCED BILLS IN QUESTION WERE NOT ADVISABLE. HE ALSO EXPRESSED HOPE THAT REP. MINK WOULD HAVE SIMILAR DISCUSSION WITH DR. AN LATER IN WEEK. (COMMENT: REP. MINK HAD INTERVIEW WITH DR. AN, BUT HE WAS NOT AS FORCEFUL OR PERSUASIVE AS WITH LARGE GROUP).

7. REP. MINK EXPLAINED TO CONSOFF IN PRIVATE MEETING THAT HER INTRODUCTION OF HR-3159 WAS MOTIVATED BY COMPLAINTS FROM ADOPTING PARENTS CONCERNING ADMINISTRATIVE PROCESSING OF ORPHAN PETITIONS BY INS AND DEPARTMENT. EMBASSY WILL FORWARD SEPARATE MESSAGE CONCERNING THESE COMMENTS AND SUGGESTIONS FOR MEASURES WHICH COULD OVERCOME REP. MINK'S OBJECTIONS.

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8. CODEL INTEREST IN USAID ASSISTANCE IN FIELD SOCIAL WELFARE CONCENTRATED ON CHILDREN AND AMOUNTS BUDGETED FOR THEM. REPRESENTATIVES STEIGER AND MINK SOMEWHAT CRITICAL OF DATA FURNISHED WHICH WERE PARTLY AN ALLOCATION OF RESOURCES BASED ON PROPORTION OF CHILDREN

IN POPULATION. USAID IS COMPILING ADDITIONAL INFORMATION ON UTILIZATION AID RESOURCES, REQUESTED BY REP. MINK, FOR SEPARATE

TRANSMITTAL TO DEPARTMENT.

9. CODEL EXPRESSED RESERVATION REGARDING GVN PROCEDURES FOR ADMINISTERING AID FUNDS. ALSO FAVORED MORE AID MONEY FOR CHILD WELFARE WITH HIGHER PROPORTION CHanneled THROUGH VOLAGS.

10. CODEL REQUESTED WRITTEN COMMENTS CONCERNING PENDING LEGISLATION AND APPARENT DISCREPANCY BETWEEN WRIGHT AND EMBASSY POSITIONS ON MSW COOPERATION. COMMENTS ARE BEING PREPARED FOR SEPARATE TRANSMISSION THROUGH DEPARTMENT.
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